

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for June 8, 2005 PLANNING COMMISSION MEETING

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for the use permit application.

PROJECT #: Change of Zone #05042
Use Permit #89C

PROPOSAL: To change the zoning from O-3 Office Park to B-2 Planned Neighborhood Business to allow restaurant and retail.

LOCATION: South 14th Street and Pine Lake Road

LAND AREA: CZ#05042 - 5.39 acres more or less.
UP#89C - 20.76 acres more or less.

CONCLUSION: UP#89 originally limited B-2 to the 5.34 acres at the west end of the site, between South 14th and South 16th Streets. The remainder was zoned O-3 to limit strip commercial development while allowing flexibility to develop both office and apartments. The mix of uses as laid out in the original development plan represents a good use of land at this location. These requests to change the zoning to B-2 west of South 16th Street and allow commercial uses over a 1,500' long strip between South 16th Street and South 20th Street, which was previously designated in the use permit for apartments, will allow the type of strip development along a major street staff that is not consistent with the Comprehensive Plan. With approximately 3,900,000 square feet of commercial floor approved near the area bounded by South 14th and South 16th Streets, and Pine Lake and Yankee Hill Roads, additional commercial floor area is not needed in this area. It was noted during the review that either a waiver to the requirement that all lots front onto a public street or private must be requested, or the site plan must be revised to not require it. If the waiver is requested, action on these applications must be delayed two weeks to allow publication of the revised legal notice.

RECOMMENDATION:

CZ#05042	Denial
UP#89C	Denial
Waiver: Adjustment to Setbacks	Denial

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached legal descriptions.

EXISTING ZONING: O-3 Office Park, B-2 Planned Neighborhood Business

PROPOSED ZONING: Changes a portion of the O-3 Office Park to B-2 Planned Neighborhood Business

EXISTING LAND USE: The area of the change of zone is undeveloped; the B-2 from South 14th to 16th Streets is developed with commercial, and the O-3 east of South 20th is developed with office.

SURROUNDING LAND USE AND ZONING:

North:	Undeveloped, School	AG, R-1, P
South:	Residential (multiple-family, single-family)	R-3
East:	Residential (multiple-family)	R-4
West:	Commercial	I-3

HISTORY:

October 19, 2004 - UP#89B, a request for on-sale alcohol in the B-2 near South 14th Street was withdrawn by the applicant.

July 21, 1997 - UP#89A was approved revising the occupancy schedule to allow the development of commercial space before the construction of the apartments.

September 9, 1996 - UP#89 was approved allowing 41,500 square feet of office floor area, 45,850 square feet of commercial floor area, and 216 multiple-family units.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F19 - Strip commercial development along transportation corridors is discouraged.

Page F25 - The Land Use Plan designates the west 5.34 acres of the site for commercial land uses, the remainder is designated as urban residential.

Page F37 - Commercial and Industrial Development Strategy

The commercial and industrial development strategy presented below seeks to fulfill two notable objectives: (1) the approach is designed to provide flexibility to the marketplace in siting future commercial and industrial locations; while at the same time (2) offering

neighborhoods, present and future home owners, other businesses, and infrastructure providers a level of predictability as to where such employment concentrations might be located. Balancing these two objectives in a meaningful way will require diligence, mutual understanding, and an ongoing planning dialogue.

Page F41 - Guiding Principles for Commerce Centers

Commerce Centers shall be designed and constructed to meet the intent of the environmental resources section of this plan. These centers shall in themselves include green space and enhance green space separation, where possible, among communities and mixed use areas.

Strip commercial development is discouraged. Commerce Centers should not develop in a linear strip along a roadway nor be completely auto oriented.

Commercial locations should be easily accessible by all modes of transportation including pedestrian, bicycle, transit and automobiles. Centers should be especially accessible to pedestrians and bicycles with multiple safe and convenient access points.

Commerce Centers should have convenient access to the major roadway system and be supported by roads with adequate capacity.

Physical linkages (i.e., sidewalks, trails, roads) should be utilized to directly connect Commerce Centers with adjacent development, although undesirable traffic impacts on adjacent residential areas should be avoided or minimized.

Page F97, 98- Pedestrians

The sidewalk system should be complete and without gaps. The pedestrian network in shopping centers should be integrated with adjacent activities.

Pedestrians should be able to walk in a direct path to destinations like transit stops, schools, parks, and commercial and mixed-use activity centers.

Activity Corridors and Centers - Directness and safety for pedestrians going to, from, and within these corridors and centers should be stressed.

UTILITIES: All utilities are available to serve this area.

ANALYSIS:

1. This request includes two applications, a change of zone from O-3 to B-2 and UP#88C with requests to adjust the yard setbacks to 0' in both the B-2 and O-3 areas.
2. The Comprehensive Plan designates the west 5.34 acres of the site for commercial land uses, the remainder is designated as urban residential.
3. UP#89 was unique in that it approved apartment building construction in the O-3 Office District. Before UP#89 was approved, a portion of this ground was zoned R-4 and was approved for 144 apartments as part of the South Ridge CUP. The reason for the

previous O-3 zoning and for UP#89 was to increase the apartment density from 144 to 216 dwelling units.

4. The staff report for UP#89 stated:

"The Planning Staff was concerned that the offices on the east end of the project would be built first, and then with O-3 zoning in place the applicant would amend the use permit to allow for commercial development in this entire area. The applicant has submitted a development and occupancy schedule which states that building permits for the office buildings can not be issued until after a permit has been issued for the first apartment building. The commercial area on the west end of the project can be constructed at any time."

5. One reason staff recommended approval of the change of zone from R-4 to O-3 was that the development and occupancy schedule would assure that the apartments would be built before the office buildings. Regardless of market demands, the concern was that if the offices were built first, the apartments would not be built and strip commercial development along Pine Lake Road would result.

6. UP#89A, which was approved July 21, 1997 over staff's objection, amended to the occupancy schedule to allow the office buildings to be built before the apartments. The office buildings east of south 20th Street have been built, but the apartments have not. The site plan proposed with this amendment deletes the 216 apartment units and replaces them with 106,500 square feet of commercial floor area that includes restaurants, retail, bank and office.

7. The Comprehensive Plan at several points discourages strip commercial development. If these requests are approved, the entire south side of Pine Lake Road from South 14th Street to South 27th Street will be office and commercial uses with two exceptions. One is the Lincoln Housing Authority apartment complex at Pine Lake Road and Helen Witt Drive. The other is a proposed church immediately to the east of the Housing Authority complex which is part of a PUD that also includes offices and a convenience storage facility.

8. Within and around the area approximately bounded by South 14th & South 27th Streets, and Pine Lake and Yankee Hill Roads, there is approximately 3,900,000 square feet of approved commercial floor area. A listing of approved commercial developments in the area includes the following:

UP#98	Southridge (Super Saver)	SW of S. 27 th & Pine Lake Road	135,000 sq. ft.
UP#99	Southridge (Shopko)	NW of S. 27 th & Pine Lake Road	207,000 sq. ft.
UP#11	SouthPointe Pavilions	NE of S. 27 th & Pine Lake Road	1,146,000 sq. ft.
UP#100	Southridge	SE of S. 27 th & Pine Lake Road	100,000 sq. ft.
UP#117	Horizon Business Center	SW of S. 14 th & Pine Lake Road	530,000 sq. ft.
UP#129	Vavrina Meadows	S. 14 th Street between Pine Lake and Yankee Hill Roads	115,000 sq. ft.
SP#1895 (planned service commercial)	Vavrina Meadows	S. 14 th Street between Pine Lake and Yankee Hill Roads	361,200 sq. ft.
UP#134	Pine Lake Heights S. 4 th	NE of S. 27 th & Yankee Hill Road	316,500 sq. ft.
SP#2022 (planned service commercial)	Pine Lake Heights S. 4 th	NE of S. 27 th & Yankee Hill Road	172,650 sq. ft.
UP#149	Stone Ridge Estates	NW of S. 27 th & Yankee Hill Road	166,000 sq. ft.
UP#147	Tamarin Ridge	S. 27 th & Tamarin Ridge Road	26,500 sq. ft.
SP#1989	Tamarin Ridge	S. 27 th & Tamarin Ridge Road	115,000 sq. ft.
UP#154	Wilderness Hills	SE of S. 27 th & Yankee Hill Road	495,850 sq. ft.
TOTAL			3,895,850

9. It should be noted that of the retail, restaurant, bank, and office uses proposed, office and banks are permitted in the O-3, and restaurants are allowed by special permit. Other than for retail, the change of zone is not necessary.
10. Public Works notes that the traffic study submitted does not include the fast food restaurant with drive-thru as shown on the site plan. If included, the vehicle trips are approximately tripled when the proposed uses are compared to the approved apartments. This will likely require a traffic signal in Pine Lake Road, and if the traffic signal is required Public Works does not support the right-in-right-out drive near Lot 3. Because the need for the traffic signal would be in response to these requests,

Public Works notes that the applicant should be responsible for all associated improvements including right-turn lanes, a traffic signal, and left-turn lane extensions.

11. The proposed site plan does not create a pedestrian-oriented center, and lacks several attributes for commercial centers as called for in the Comprehensive Plan. During pre-application meetings staff has requested that additional sidewalk connections be made, and that a different building layout be shown. Staff would like to have the opportunity to work with the applicant to revise the plan to create a more pedestrian-oriented center if the requests are approved. The final specific site layout should be subject to site plan review and administrative approval by the Planning Director.
12. The effect of these requests is contrary to the Comprehensive Plan, and results in the worst-case scenario for how new development could occur along Pine Lake Road. Staff has raised this concern when amendments have been requested, noting that the cumulative effect of the incremental changes will ultimately lead to strip commercial along the extent of Pine Lake Road from South 14th to South 27th.
13. All lots must take access to either a public or private roadway. The lots within the O-3 portion between South 16th and South 20th Streets do not front onto either a public street or private roadway. Either the site plan must be revised to show the lots with frontage, or a waiver to the requirement must be requested. If the waiver is requested, the requests must be delayed for two weeks to allow the revised legal notice to be re-published.
14. Staff recommends denial of both requests, however should the City Council choose to approve them, staff recommends that approval be subject to the following conditions.

CONDITIONS:

UP#89C

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan as follows:

1.1.1 Add General Note #30 that states "THE LAYOUT SHOWN IS CONCEPTUAL. THE SPECIFIC SITE LAYOUT WILL BE APPROVED BY ADMINISTRATIVE AMENDMENT PRIOR TO ISSUANCE OF BUILDING PERMITS."

1.1.2 Show a sidewalk system that connects the front door of all buildings to the surrounding streets.

1.1.3 Show the length of the right-turn lane in Pine Lake Road at the drive to the restaurant.

1.1.4 Show the traffic improvements to the satisfaction of Public Works and Utilities.

1.1.5 Show all lots fronting upon a public street or private roadway.

1.1.6 Make revisions per the L.E.S. review.

1.1.7 Substitute plant species per Parks and Recreation Department's review.

2. This approval permits 106,500 square feet of retail, restaurant, bank, and office uses on Block 2 with adjustments to yard setbacks to 0'.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a five copies of a revised final plan and the plans are acceptable:
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 Final Plats shall be approved by the City.

Standard:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the building all development and construction shall have been completed in compliance with the approved plans.

- 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established owners association approved by the City Attorney.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Brian Will
Planner
May 23, 2005

APPLICANT/CONTACT:

Mark Palmer
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
402-474-6311

OWNER:

Ridge Development Company
2001 Pine Lake Road, Suite 100
Lincoln, NE 68516



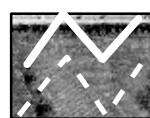
2002 aerial

Change of Zone #05042 S. 14th & Pine Lake Rd.

Zoning:

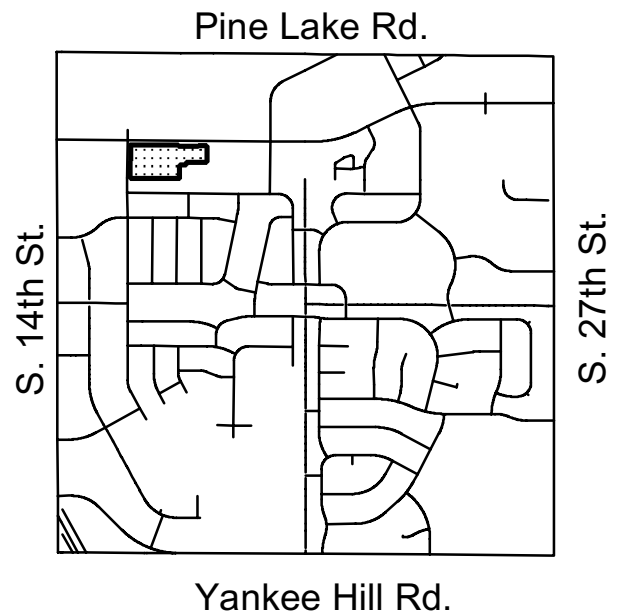
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 24 T9N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction



**LEGAL DESCRIPTION
CHANGE OF ZONE
FROM "O-3" TO "B-2"**

RECEIVED

MAY 12 2005

CITY/LANCASTER CO.
PLANNING DEPARTMENT

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOT 1 BLOCK 2, AND A PORTION OF LOT 2 BLOCK 2, ALL OF PINE RIDGE 1ST ADDITION, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, STATE OF NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE EAST ALONG THE NORTH LINE OF SAID LOT 1, AND THE NORTH LINE OF SAID LOT 2, SAID LINE BEING THE SOUTH LINE OF PINE LAKE ROAD RIGHT-OF-WAY, ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 13 MINUTES 11 SECONDS EAST, A DISTANCE OF 511.50 FEET TO A NORTH CORNER OF SAID LOT 2, THENCE SOUTH 00 DEGREES 46 MINUTES 49 SECONDS WEST ALONG A EAST LINE OF SAID LOT 2, SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 7.00 FEET TO A NORTH CORNER OF SAID LOT 2, THENCE SOUTH 89 DEGREES 13 MINUTES 11 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 2, SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 205.50 FEET TO A NORTH CORNER OF SAID LOT 2, THENCE NORTH 00 DEGREES 46 MINUTES 49 SECONDS EAST ALONG A WEST LINE OF SAID LOT 2, SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 7.00 FEET TO A NORTH CORNER OF SAID LOT 2, THENCE SOUTH 89 DEGREES 13 MINUTES 11 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 2, SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 91.24 FEET TO A POINT, THENCE SOUTH 00 DEGREES 46 MINUTES 49 SECONDS WEST, A DISTANCE OF 178.67 FEET TO A POINT, THENCE NORTH 89 DEGREES 13 MINUTES 11 SECONDS WEST, A DISTANCE OF 220.01 FEET TO A POINT, THENCE SOUTH 00 DEGREES 46 MINUTES 49 SECONDS WEST, A DISTANCE OF 30.54 FEET TO A POINT, THENCE NORTH 89 DEGREES 13 MINUTES 11 SECONDS WEST, A DISTANCE OF 64.00 FEET TO A POINT, THENCE SOUTH 00 DEGREES 46 MINUTES 49 SECONDS WEST, A DISTANCE OF 140.51 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID LOT 2, THENCE NORTH 89 DEGREES 13 MINUTES 55 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2, AND THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 524.23 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, THENCE NORTH 00 DEGREES 46 MINUTES 49 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 1, SAID LINE BEING A EAST LINE OF SOUTH 16TH STREET RIGHT-OF-WAY, A DISTANCE OF 349.84 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED

AREA OF 234,625.41 SQUARE FEET OR 5.3863 ACRES, MORE OR LESS.

Monday, May 02, 2005

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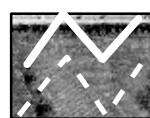
2002 aerial

Use Permit #89C S. 14th & Pine Lake Rd.

Zoning:

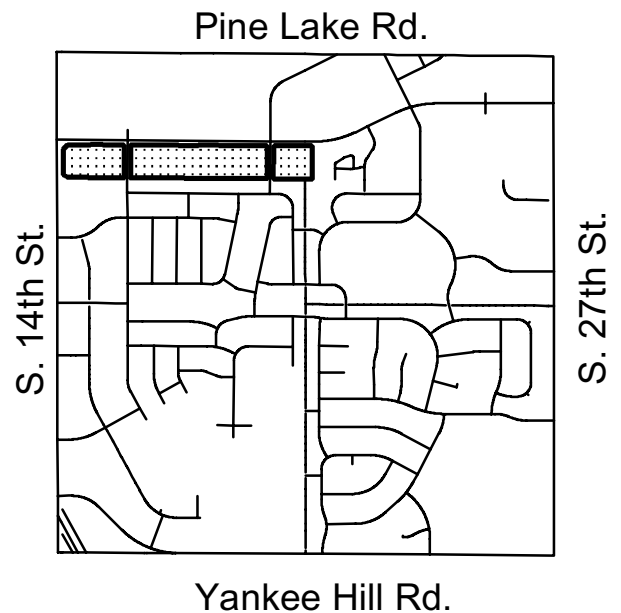
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P	Public Use District

One Square Mile
Sec. 24 T9N R6E



Zoning Jurisdiction Lines

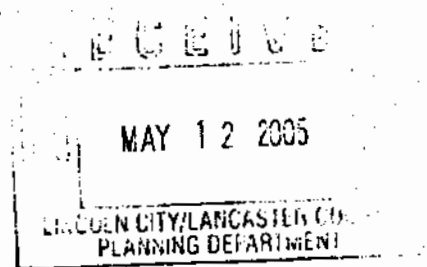
City Limit Jurisdiction

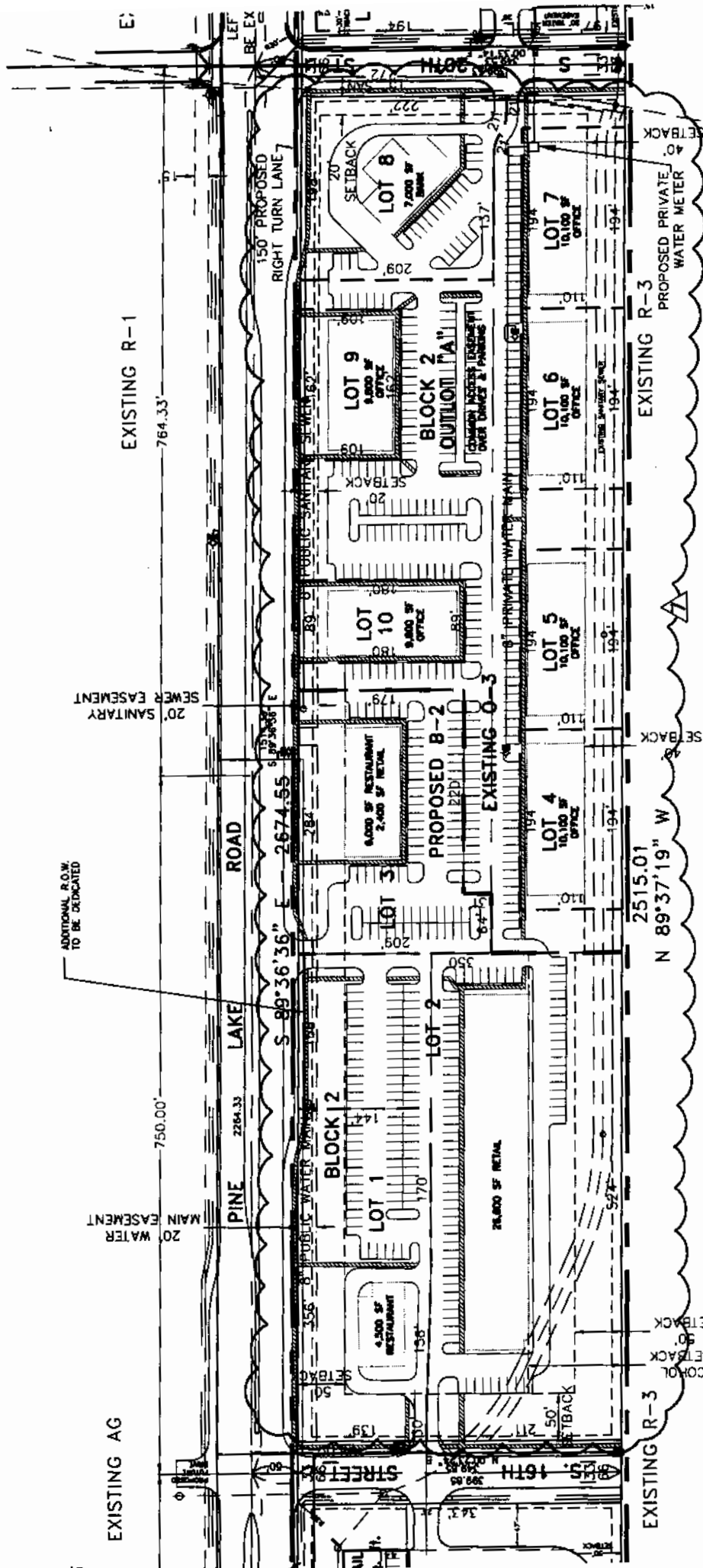


**LEGAL DESCRIPTION
AMENDMENT TO USE PERMIT 89A**

A TRACT OF LAND COMPOSED OF LOTS 1, 2, & 3, BLOCK 2, AND OUTLOT 'A', BLOCK 3 OF PINE RIDGE 1st ADDITION; LOTS 1 & 2 OF PINE RIDGE 2nd ADDITION; LOTS 1, 2, 3, 4, AND OUTLOT 'A' OF PINE RIDGE 3rd ADDITION; LOT 1 AND OUTLOT 'A' OF PINE RIDGE 4th ADDITION; LOCATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER, COUNTY, NEBRASKA.

April 25, 2005
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DEVELOPMENT AREA - 0-3

TOTAL ACRES	6.21± AC.	25%
TOTAL BUILDING AREA	1,544±	35%
TOTAL PARKING AREA	2,194±	40%
TOTAL OPEN SPACE	2,484±	25% FAR

DEVELOPMENT AREA - B-2

TOTAL ACRES	5.39± AC.	17%
TOTAL BUILDING AREA	911±	40%
TOTAL PARKING AREA	2,311±	43%
TOTAL OPEN SPACE	2,311±	17% FAR

RECEIVED

MAY 12 2005

SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

May 12, 2005

HAND DELIVERY

Mr. Marvin Krout
Planning Department
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: Pine Ridge Use Permit
Amendment 'B' to Use Permit 89A
Change of Zone
OA Project No. 2004-0794

MAY 12 2005

Dear Marvin:

Our law firm represents Northern Lights, L.L.C., c/o Ridge Development Company ("Owner"), who is the owner of the property on the south side of Pine Lake Road, between S. 16th and S. 20th Street. In 1996, the property was zoned 0-3 Office Park with an approved Use Permit #89A for three large apartment buildings, each proposed to contain 72 units for a total of 216 apartment units. To date, we have not been successful in marketing the site for apartments. After discussing the matter with the abutting neighborhood, we would like to develop the site into retail and offices. Please see the enclosed site plan.

Our application materials include the following:

1. Application for a Use Permit Amendment with submittal requirements.
2. Application fee.
3. Change of Zone application with submittal requirements.
4. Change of Zone fee.
5. Change of Zone legal description and exhibit.
6. Site Plan - 21 copies.
7. Drainage and Grading Plans - 9 copies.
8. Landscape Plan - 5 copies.
9. Traffic study - 3 copies.
10. Ownership Certificate - 1 copy.

We are submitting an Amendment to Use Permit #89A, and the accompanying Change of Zone Application. The Use Permit consists of Lots 1, 2 and 3, Block 2, and Outlot 'A', Block 3 of Pine Ridge 1st Addition; Lots 1 and 2 of Pine Ridge 2nd Addition; Lots 1, 2, 3, 4 and Outlot 'A' of Pine Ridge 3rd Addition; Lot 1 and Outlot 'A' of Pine

Ridge 4th Addition; all located in the Northwest Quarter of Section 24, Township 9 North, Range 6 East of the 6th P.M., City of Lincoln, Lancaster County, Nebraska.

We are requesting to waive the internal yard setbacks to 0' in both the O-3 and B-2 areas. Otherwise, we meet the setback requirements abutting the public streets and the Vavrina residential neighborhood.

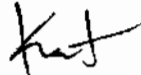
We have met with the Vavrina neighbors on numerous occasions, and have met with City staff on two occasions to discuss the proposed site plan. The site plan has been revised to reflect comments made at those meetings.

At the neighborhood meetings the following matters were raised:

1. The neighbors are concerned that the lighting on the buildings and in parking areas would trespass upon their residential lots. We have committed to meet the City's new lighting ordinance which addresses these lighting concerns.
2. Several of the neighbors' lots and homes have drainage problems. Our grading and drainage plan addresses these issues and will cause our property waters to drain away from the residential neighborhood.
3. The neighborhood desires restaurant(s) with the ability to be served an alcoholic beverage, but do not want "Brewsky's" or a "Heidelbergs" restaurant/bar. We have pledge to the neighborhood that we will place a restrictive covenant on the property to prohibit a restaurant/bar having keno. We believe that keno is the common denominate found in the less desirable restaurant/bars and are not found in the sit-down restaurants that also serve liquor, like an Applebee's restaurant/bar.

We thank you for your consideration of our request. Please contact us if you have any questions or require additional information.

Sincerely,



Kent Seacrest
For the Firm

Enclosures

cc with site plan:

Ray Hill
Brian Will
John Brager
Tom White
Councilman Jonathan Cook
Mark Palmer
JoAnn Brethouwer, Vavrina Homeowners Association

M e m o r a n d u m

To: Brian Will, Planning Department

From: Chad Blahak, Public Works and Utilities
Dennis Bartels Public Works and Utilities

Subject: Pine Ridge Use Permit UP #89C

Date: 5/24/05

cc:

Engineering Services has reviewed the submitted plans for the Pine Ridge Use Permit, located on the south side of Pine Lake Road between 16th and 20th Streets, and has the following comments:

Sanitary Sewer - The sanitary system is satisfactory.

Water Main - The water system is satisfactory.

Grading/Drainage - The following comments need to be addressed.

(3.1) As shown on the plans, detention for the eastern portion of this plat was shown and analyzed in The Ridge 1st Addition drainage study. However, that study showed this area as apartment uses not commercial. This change of use needs to be reflected in with this submittal to determine if the detention provided previously is adequate for the proposed land use.

Streets/Paving - The following comments need to be addressed.

(4.1) As submitted, the traffic study does not reflect the fast-food restaurant with drive-thru. If this use is included and the other restaurant square footage is adjusted accordingly, the proposed land uses approximately triple the trips generated from this site as compared to the previously approved apartment uses. The study shows that the 20th and Pine Lake intersection operates under an acceptable level of service for the existing conditions. A traffic signal would most likely not be considered with the apartment uses. If this land use is approved this developer should be responsible for all required improvements to Pine Lake Road and 20th Street including right turn lanes, left turn lane extensions, and a possible traffic signal at the intersection of 20th and Pine Lake Road.

(4.2) If the proposed land use is approved and traffic signal is warranted, right in right out drive between 16th and 20th Streets is not recommended to be approved. The elimination of this connection would improve the traffic flow in Pine Lake Road and eliminate the conflict points associated with the drive. If the driveway is approved the right turn lane will be required as shown on the plans and this developer should be responsible for the construction of the right turn lane.

General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location

Brian Will, Planning Department

Page 2

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of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

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**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Becky Horner	DATE: May 26, 2005
DEPARTMENT: Planning	FROM: Chris Schroeder
ATTENTION:	DEPARTMENT: Health
CARBONS TO: EH File EH Administration	SUBJECT: S. 14 th & Pine Lake Rd CZ #05042 UP #89C

The Lincoln-Lancaster County Health Department has reviewed the proposed development with the following noted:

- The LLCHD advises that noise pollution can be a concern when locating commercial zoning adjacent to residential zoning. Lincoln Municipal Code (LMC) 8.24 Noise Control Ordinance does address noise pollution by regulating source sound levels based upon the receiving land-use category or zoning. However, the LLCHD does have case history involving residential uses and abutting commercial uses in which the commercial source does comply with LMC 8.24, but the residential receptors still perceive the noise pollution as a nuisance. The LLCHD strongly advises the applicant to become familiar with LMC 8.24. The LLCHD advises against locating loading docks, trash compactors, etc. adjacent to residential zoning. Therefore, creative site design should be utilized to locate potential sources of noise pollution as far as possible from residential zoning.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

INTER-DEPARTMENT COMMUNICATION



DATE: May 20, 2005
TO: Becky Horner, City Planning
FROM: Sharon Theobald
Ext 7640
SUBJECT: DEDICATED EASEMENTS
DN# 70S-17E

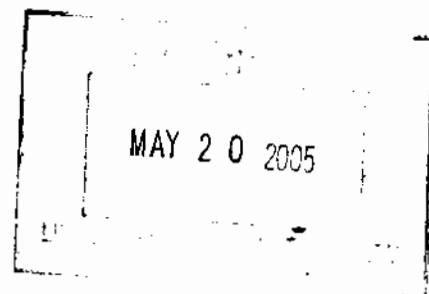
UP#89C
CZ#05042

Attached is the Site Plan for South 14th St. & Pine Lake Road.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require blanket utility easements, excluding building envelopes, over Lots 1-10 and a blanket utility easement over Outlot "A".

Sharon Theobald



ST/ss
Attachment
c: Terry Wiebke
Easement File



CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG
www.ci.lincoln.ne.us

**PUBLIC WORKS AND
UTILITIES DEPARTMENT**

Memorandum

Date: *May 26th, 2005*

To: *Becky Horner*

From: *Devin Biesecker*

Subject: *S14th Street and Pine Lake Road*

cc: *Ben Higgins, Chad Blahak*

Below are Watershed Management's comments for the S 14th Street and Pine Lake Road Use Permit 89C.

1. Detention has been shown for this site however, proposed flows out of the detention area are not shown. Submit proposed flows for the detention area showing that the existing 2, 10, and 100 year flows have not been exceeded for the proposed conditions.



Lincoln Parks & Recreation

Memo

To: Becky Horner, Planning Department

From: Mark Canney, Parks & Recreation

Date: May 24, 2005

Re: S. 14th Street and Pine Lake Road

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have the following comment(s):

1. Please substitute Snow Drift Crabapple with a cultivar less susceptible to fireblight. Consider using Professor Sprenger.
2. Please use Swamp White Oak as a substitute for White Oak due to its higher success rate and adaptability in our region.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.